



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Title: METHODS OF GENE SILENCING

USING INVERTED REPEAT

**SEQUENCES** 

Inventor: Gutterson, et al.

Serial No.: 09/924,197

Filing Date: August 7, 2001

Confirmation No.: 2170

Commissioner for Patents P.O. Box 1450

Washington, D.C. 20231

Examiner: Lacourciere, Karen A.

Art Unit: 1635

#### INFORMATION DISCLOSURE STATEMENT

Attached to this Information Disclosure Statement is a form PTO/SB/08A listing documents that may be relevant to the subject application. Applicant respectfully requests that these documents be considered by the Examiner and an initialed copy of each page of the form be returned to the undersigned. It is believed that no fee is due for this submission; however, if a fee is required pursuant to 37 C.F.R. § 1.97(b)(3), (c)(2) and § 1.17(p), the Commissioner is hereby authorized to charge Deposit Account No. 060590.

A copy of each listed document is enclosed. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Pursuant to 37 C.F.R. §§ 1.97 (g) and 1.97 (h), this disclosure statement should not be construed as a representation that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

#### **Information Disclosure Statement** U.S. App. Serial No. 09/924,197

It is believed that this disclosure complies with the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedure § 609. If for some reason the Examiner considers otherwise, the undersigned respectfully requests that she be called so that any deficiencies can be remedied.

Dated: April 8, 2004.

Respectfully submitted,

FENNEMORE CRAIG

Susan Stone Rosenfield

Registration No./36,287

3003 North Central Avenue

**Suite 2600** 

Phoenix, Arizona 85012

Tel: (602) 916-5317 Fax: (602)-916-5517

Express Mail Label No. <u>EV 352474526 US</u>

I hereby certify that this paper and all documents and any fee referred to herein are being deposited on the date indicated above with the U.S. Postal Service "FF" of the control of the con indicated above with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, postage prepaid and addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-

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ouis A. Loffedof, Legal Assistant

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Sheet 1 of 2

| Complete if Known      |                       |  |  |  |  |
|------------------------|-----------------------|--|--|--|--|
| Application Number     | 09/924,197            |  |  |  |  |
| Filing Date            | August 7, 2001        |  |  |  |  |
| First Named Inventor   | Gutterson, Neal       |  |  |  |  |
| Group Art Unit         | 1638                  |  |  |  |  |
| Examiner Name          | Lacourciere, Karen A. |  |  |  |  |
| Attorney Docket Number | 15240.096             |  |  |  |  |

|                       | U.S. PATENT DOCUMENTS |                      |   |   |  |  |  |
|-----------------------|-----------------------|----------------------|---|---|--|--|--|
| Examiner<br>Initials* | Cite<br>No.1          | U.S. Paten<br>Number | t Document  Kind Code <sup>2</sup> (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |  |
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| Examiner Cite Foreign |      | Foreign Patent Do   |                     |   | Name of Patentee or | Date of Publication of                | Pages, Columns, Lines,<br>Where Relevant |  |                |
| Initials*             | No.1 | Office <sup>3</sup> | Number <sup>4</sup> |   | nown)               | Applicant of Cited Document           | Cited Document<br>MM-DD-YYYY             | Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
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| Examiner  | Date       | <br> |
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| Signature | Considered |      |

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



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Sheet 2 of 2

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| Examiner Name          | Lacourciere, Karen A. |  |  |  |  |
| Attorney Docket Number | 15240.096             |  |  |  |  |

|                       |              | OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS   |    |
|-----------------------|--------------|---|----|
| Examiner<br>Initials* | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T² |
|                       |              | METTE, M.F. et al., "Production of aberrant promoter transcripts contributes to methylation and silencing of unlinked homologous promoters in trans," The EMBO Journal, Vol. 18, No. 1, pp. 241-248, (1999)   |    |
|                       |              | MITRA, A. et al., "Three distinct regulatory elements comprise the upstream promoter region of the nopaline synthase gene," Mol.Gen.Genet., Vol. 215, No. 2, pp. 294-299, (1999)  |    |
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